

**OPENING STATEMENT FOR CHAIRMAN BEN NIGHTHORSE CAMPBELL  
JOINT HEARING WITH THE SUBCOMMITTEE ON WATER AND POWER OF THE  
COMMITTEE ON ENERGY AND NATURAL RESOURCES  
WEDNESDAY, JUNE 24, 1998**

I would like to call to order this hearing before the U.S. Senate Committee on Indian Affairs and the Subcommittee on Water and Power of the Senate Committee on Energy and Natural Resources.

The purpose of this hearing is to receive testimony concerning a proposed water rights settlement in Montana concerning the Chippewa-Cree Tribe of the Rocky Boys Reservation; and to consider amendments proposed to the Colorado Ute Indian Water Rights Settlement Act of 1988.

I was hesitant to introduce a bill amending the 1988 Act. The Animas La Plata project authorized by that bill was already a compromise of a compromise. These new amendments are yet another compromise. But I did so after the tribes and other water users assured me they believed this is their best chance to get what they are owed. I want to tell my colleagues this is our nation's last chance to keep its word to these tribes. 472 treaties have been broken by the United States. None by the tribes. Let's not make this number 473.

The Animas La Plata project has always been attacked because of its cost. I have always been a supporter of keeping a tight rein on government spending. But this argument makes me question our priorities. Why are the billions that go to foreign countries justified, when we cannot find a pittance of that amount to help American Indians? And keep in mind that this project is not a gift to the tribes. When they signed their treaties with the United States, the tribes gave up what is now the land of the State of Colorado. This project is the payment for that land.

There will also be those who say we need to study the project more. I would like to bring to your attention the stack of environmental studies on the table in front of us. It will take a lot for someone to convince me that this is not enough.

The clock is ticking on this project. If it is not completed by the year 2000, the tribes have the option to go back to court to pursue their claims to senior water rights in many of the rivers and streams in Southwest Colorado. There will be years of costly litigation involving the United States, the State of Colorado, and water right holders throughout the region, wreaking havoc on the economies and water administration in Colorado. Everyone has heard of the "Year 2000 problem" that will cause computers to fail. This is Southwest Colorado's "Year 2000 problem." The legal costs alone will make us wish we had just built this project like we were supposed to.

For those not familiar with the importance of water in the west, let me tell you it is our lifeblood. Without water storage and diversion, Colorado looks like it did when Major Stephen Long explored it in 1819. He wrote, and I quote: "No one but nomads could exist there. There was no timber or water, The soil was poisoned. The countryside was covered with sand and cactus. It is almost wholly unfit for cultivation, and, of course, uninhabitable by a people depending on

agriculture for their subsistence."

So we are not talking about just building a water project, not just about fulfilling a promise. We are talking about giving people the chance to make a living and support their families. To give their children a better life than they had.